

## Remarks

- 1) Applicant thanks the Examiner for her office action and hopes that this response will further the understanding of applicant's invention.
- 2) Claims 1-12 have been withdrawn as directed to a non-elected invention. Claims 13-20 are pending in the application.
- 3) Applicant amended the specifications to indicate inventorship of US applications 09/870,293 and 09/870,057 whose incorporation by reference was objected to by the office. Both applications were invented by Mr. Korala, the inventor of the present application. Applicant apologizes for the inadvertent omission of the inventor name and respectfully requests that those US applications incorporation by references be accepted as they were clearly identified in the original specifications and therefore no new matter is introduced.
- 4) In accordance with the Office requirements, applicant submitted replacement drawing sheets No. 1 and 2, in which every hollow rectangle was provided with descriptive legend of each of the structural elements.
- 5) Regarding the Office demand that every feature of the invention be shown in the drawings, applicant respectfully submits that all the elements of independent claim 13 and of claims 17, 18, and 19 are shown in Fig. 1, (reference numerals 1, 7, and 4). An example of the feature of making a selection of service in claim 14 is clearly shown in Fig. 2 by elements 10, 11, and 12. Examples of requiring information in a specific format which is a feature of claim 15, are shown within the window 43 of Fig. 11 as screen items 1, 2, and 3, or in Fig 7 as reference numeral 26, in Fig. 12, and in numerous other places in the drawings. An example of the selection feature of claim 16 is provided throughout the drawings such as for example in Fig. 11, by the content of the simulator explanation 43. Applicant therefore submits that each feature of the claim has been shown in the drawings, and respectfully request that the objection be reconsidered and withdrawn.
- 6) The Office rejected claims 13-20 under 35 U.S.C. §112 second paragraph as being indefinite. Applicant amended the claim to address the Office rejection and believe that

the rejection has been overcome. Reconsideration and withdrawal of the rejection is respectfully solicited.

- 7) The Office rejected claims 13-20 under 35 U.S.C. 103(a) as being unpatentable over Adams et al (US 2003/0083943 A1). The Office asserted that under broadest reasonable interpretation of the claims the invention of Adams et al may be interpreted as a method for training a user of a self service kiosk as claimed. Applicant respectfully disagrees. Firstly, Adams et al is directed to a "method and apparatus for awarding and redeeming promotional points at an electronic game", which is not analogous field of art.
- 8) The presently claimed invention relates to a specific problem and should not be seen in the general context of all software and computer games or the like. Independent Claim 13 refers to a method of training a user of a self service kiosk. As is well described in the Application in general, a self service kiosk is a device such as an information point, an automatic teller machine which allows one to remove all deposit cash, checks etc, self service machines for booking holidays or any other similar device. The nature of these machines is that they are available for use by the public in public places and that when encountering these kiosks for the first time, many members of the public are apprehensive because they lack the confidence to use the machines and do not want to become embarrassed should they fail to use the kiosk properly, or be pressurized in their use of the kiosk should a queue form behind them. The present invention provides an extremely useful solution to this problem by allowing the user to simply pick up information which then allows them to go home and access a website which provides a simulation of the kiosk functions, and therefore allows the user to gain confidence in the use of the kiosk by practicing with the simulation before using a real kiosk in a public place.
- 9) Claim 13 of the present invention as now amended, clearly describes a method with a number of steps. The Claim makes a distinction between the provision of a self service kiosk in which a real service is provided to a user in a public place,

and an online simulator which provides a simulation of the features and functions of the kiosk and which can be used at home by the user.

- 10) The Office has argued that the invention as defined in the Claims is unpatentable in view of Document US2003/0083943A1 (Adams), and the Examiner refers to specific parts of this document on which the Office relies. Adams describes a method and apparatus for awarding and redeeming promotional points at an electronic game. This document lists a number of examples of the state of the art. These examples all appear to relate to reward schemes of one form or another. In paragraph 20, to which the Examiner refers, it is stated that

*'... many internet electronic games provide an option to play for free, usually in the context of a "demonstration" game or to teach a potential player about a particular game'.*

This paragraph clearly teaches that when the user is playing a game free of charge he is playing the game. This is not a simulation of playing the game, this is playing the game itself, the only difference being that no charge is made. In contrast, the claimed invention provides a simulation of a set of functions that are available to a user on a kiosk. Paragraph 52 of Adams teaches a number of instances where promotional or advertising information is placed near the gaming environment, or actually in the gaming environment. The claimed invention further provides information near a kiosk to allow a person to obtain access to a simulation of the kiosk. Paragraph 52 of Adams teaches the provision of information that are simply advertisements or the like and is accessible whilst the game is being played within the gaming environment.

- 11) It is believed that these are extremely significant differences that make the invention as defined in Claims 13 to 20 clearly novel with respect to this prior art.
- 12) In addition, the Adams document relates to promotional or loyalty schemes and does not relate to a system for training a user. Applicant respectfully submits that

a person skilled in the art would not consider Adams relevant to the issues involved in providing proper and appropriate training to a user of a kiosk through the use of a simulator.

- 13) The Office asserted that step of providing a self service kiosk for providing a service to the user' is akin to providing a game machine is stipulated by Adams. This assertion does not fall within the teaching of the present invention that described a self service kiosk beginning on page 1, ll. 8 to page 2, ll. 1. Applicant therefore submits that the Adams reference is directed to a different field of art and is not properly modifiable to read on the claimed invention.
- 14) Even if *arguendo*, the game in the Adams reference may be considered a service similar to the services provided by the present invention, the office equated a "demonstration game" in Adams to a simulation of the action of a self service kiosk. This assertion is clearly inadequate as the demonstration game provided by Adams is directed to an actual game, albeit a free game (Par. 20). The game itself is played, and thus the "service" itself is being rendered. The claimed simulation is not an actual kiosk transaction but a simulation of the operation of the kiosk which "replicate directly the experience of being at the self-service kiosk" (present application, page 6, ll. 2-3), i.e. the simulation is clearly distinct from regular kiosk operation and may even be conducted away from the kiosk. Applicant failed to find any mention of SIMULATING A GAME in Adams electronic game machines. Furthermore, Adams does not teach providing an address for a simulator directly relating the use of the Kiosk, but rather teaches the use of general advertisement, which can not be properly equated to the claimed step. Applicant respectfully requests that the office will point out specifically such simulation in the reference and the placement of providing an address for such simulator on or adjacent to the kiosk, or that the rejection be reconsidered and withdrawn
- 15) Furthermore, as Adams relates to awarding and redeeming promotional points at an electronic game, applicant further submits that the Office did not provide any suggestion or motivation to modify the teachings of the reference to produce the

present invention. See *In re Kotzab* 55 USPQ2d 1313 (Fed Cir 2000), and therefore the rejection is improper.

- 16) Regarding claims 17-19, the Office took an official notice that removable advertisement such as business cards are old and well known in the art. Applicant respectfully points out that while this fact alone is true, the office did not provide a reason why a person skilled in the art would select the specific combination claimed. *The mere fact that the claimed invention is within the capabilities of one skilled in the art is not sufficient to establish obviousness (see MPEP 2143.01). "Particular findings must be made as to the reason the skilled artisan, with no knowledge of the claimed invention, would have selected these components for combination in the manner claimed";* *In re Rouffet*, 149 F.3d 1350, 1359, 47 USPQ2d 1453, 1459 (Fed. Cir. 1998) (Emphasis added); *"Rarely, however, will the skill in the art component operate to supply missing knowledge or prior art to reach an obviousness judgment."* (*Al-Site Corp v. VSI Int'l Inc.*, 174 F.3d 1308, 50 USPQ2d 1161 (fed, Cir. 1999) (Emphasis added). Applicant submits that the Office did not show why the skilled in the art would have selected to modify the reference to add both the simulator for use of the kiosk which is totally absent from the Adams teachings, and the hard copy reference to the missing simulator in the form of , for example, business cards.
- 17) Regarding claim 20, the Office claims that the actual components for a simulation do not effect the overall function of the simulator. However clearly, as the claimed simulation is directed not to just any simulation but specifically to a simulation the function of said self-service kiosk, the selection of actual components is not merely a matter of making the simulator attractive, but rather a functional feature that makes the simulator as claimed more apt to achieve the training goal of the claimed invention.
- 18) Due to all the showing and reasons detailed above, applicant submits that the claims as amended are allowable in vies of the cited art. Reconsideration and

withdrawal of the rejection and issue of a notice of allowance on all pending claims is respectfully solicited.

Applicant has made a good faith effort to address each and every point made by the Examiner, and amended the claim, the drawings, and the specifications in order to place the application in condition for allowance. Should the Examiner find any deficiency in this amendment or in the application, or should the Examiner believe for any reason, that a conversation with applicant's agent may further the allowance and issuance of this application, the Examiner is kindly requested to contact Shalom Wertsberger at telephone (207) 799-9733.

Respectfully submitted



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